

## Licensing Committee

at 6.30pm on Tuesday, 22 January 2019  
in the Belle Vue Suite at the Belle Vue Square Offices, Skipton

Committee Members: The Chairman (Councillor Myers) and Councillors Baxandall, Graham, Heseltine, Ireton, Jaquin, Madeley, Moorby, Mulligan, Solloway, Thompson and Welch.

### AGENDA

1. **Apologies for absence**
2. **Confirmation of Minutes** of meeting held on 13<sup>th</sup> November 2018.
3. **Public Participation** – In the event that any questions/statements are received or members of the public attend, the public participation session will proceed for a period of up to fifteen minutes.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have in items appearing on this agenda, including the nature of those interests.

(Note: Declarations should be in the form of:

a “***disclosable pecuniary interest***” under Appendix A to the Council’s Code of Conduct, or “***other interests***” under Appendix B or under Paragraph 15 where a matter arises at the meeting which relates to a financial interest of a friend, relative or close associate.

A Member of Council who has a disclosable pecuniary interest must leave the room and not take part in the discussion or vote. When declaring interests under Appendix B or Paragraph 15 of the Code, Members must move to the public seating area, not vote, and speak only if members of the public are also allowed to speak at the meeting.)

5. **Taxi Licensing Policy – Daily Vehicle Inspection Check Sheet** – Report of the Licensing Manager. Attached.  
  
Purpose of Report – To approve the content and layout of the Daily Vehicle Inspection Check Sheet, which will be required to be completed by drivers and vehicle proprietors of licensed vehicles.
6. **Taxi Licensing Policy – Introduction of Penalty Points Scheme** – Report of the Licensing Manager. Attached.

Purpose of Report – This report seeks Members approval of a Penalty Points Scheme for taxi drivers where infringements of licensing conditions, licensing legislation or misconduct has been proven after investigation by officers.

**7. Taxi Licensing Policy – Branding on Licensed Vehicles – Report of the Licensing Manager. Attached.**

Purpose of Report – This report seeks to bring to the attention of Members the results of a consultation that took place to make amendments to the Taxi Licensing Policy which came into force on 1 June 2018 to allow approved branding of Licensed Hackney Carriages or Private Hire Businesses on licensed vehicles within Craven.

Members are asked to consider the comments received and determine whether to amend the Taxi Policy and adopt the Policy which would become Appendix 'O' of the Taxi Licensing Policy.

**8. Introduction of Safety Cameras (CCTV) in Licensed Vehicles in Craven – Report of the Licensing Manager. Attached.**

Purpose of Report – To seek approval of the Licensing Committee for a specification for taxi cameras for licensed vehicles in Craven.

Members are asked to consider the specification and if approved publish the specification so that suppliers of systems which meet the specification can approach the Council with a view to being placed on a list of providers which would then be available for the trade in order for them to source a system to be installed in their licensed vehicle.

**9. Any other items which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.**

**Agenda Contact Officer:**

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14 January 2019

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## LICENSING COMMITTEE

13<sup>th</sup> November 2018

**Present** – Councillors Myers (Chairman), Baxandall, Heseltine, Ireton, Jaquin, Madeley, Moorby, Solloway, and Welch.

**Officers** – Legal Services Manager, Licensing Manager, Assistant Licensing Officer and Committee Administrator.

Apologies for absence were received from Councillors Graham, Mulligan and Thompson.

Start: 6.30pm

Finish: 9:24pm

Councillor Heseltine left the meeting at 7:58pm

The minutes of the Committee's meeting held on 25<sup>th</sup> September 2018 were confirmed and signed by the Chairman.

## Minutes for Report

LIC.212

## PUBLIC PARTICIPATION

1. Mr Christopher Woodrow, Licensing consultant representing the Skipton Private Hire and Hackney Carriage Taxi Association addressed the Committee asking that Members consider an amendment to the proposed call-out charge to reflect the actual cost of travel. The Association also objected to the capping limit of 12 miles as they considered this too low and suggested the limit should be increased to 25 miles as this acknowledged that many journeys were longer than the 12 mile cap.

In relation to the new vehicle testing regime, it was the Association's belief that the Licensing Authority could be acting unlawfully as it would, in practice, result in vehicles being tested four times a year within a twelve month period. Section 50 of the 1976 Act restricted vehicle testing to three times each year. Mr Woodrow stated that the Association was not opposed to there being a requirement for three tests per year but the current policy would unintentionally result in four tests per annum. Mr Woodrow also suggested that there was no reasonable argument why vehicles should be issued with two six monthly plates during the duration of the twelve month licence and this process just increased the workload on staff and provided no additional safety or security. Whilst he had no issue with an interim test during the licence period, he thought it unnecessary and wasteful to issue a second plate when the original one would suffice.

2. Mr Gordon Thompson addressed the Committee on the general policy issue concerning branding. He urged a change to the general policy that would have the impact of allowing him to keep the the branding he currently had on his vehicle. Mr Thompson mainly operated in Grassington and Kettlewell and he had had no complaints from his customers about the graphics on his vehicle. He felt that, after many years of using this particular trademark, which included the word 'cab' (which was expressly forbidden), it would be unfair to retrospectively ask him to remove the branding and he asked for an exemption for the life of his current vehicle.
3. Shaun Parnham and Stuart Hastings, representatives from Transcare Ltd trading as Metro Go addressed the Committee regarding the Council's current policy in relation to the branding of licensed Hackney Carriages and Private Hire vehicles. They gave an insight about their high standards of vehicle maintenance and safety inspections together with how they operated in other local authority areas. They also spoke about the various contracts

they had including the NHS work they undertook using specially adapted vehicles. They explained that although not currently licenced in Craven they would like to expand into the District and would wish to be able to have their own particular branding on their vehicles.

LIC.213

**REVIEW OF TAXI FARES**

Further to Minutes LIC.207/18-19 and LIC.211/18-19, the Licensing Manager submitted a report asking Members to consider and adopt a fares table taking into account representations received during the period of public consultation. Appended to the report now submitted was a revised fares tables which included a 'distance to pick up charge' and a 'soiling charge'. In addition, Members were presented with an alternative fares table incorporating the suggestions made by the trade.

The consultation exercise had resulted in a representation from A2Z Licensing on behalf of the Craven Hackney Carriage Association who felt that the call-out charge should be amended to £1.50 per mile on tariff 1, £1.80 per mile on tariff 2, £2.45 on tariff 3 and £2.25 on tariff 4. The Association also suggested that the proposed booking fee structure must allow for a price per mile to be charged for each complete mile up to a distance of approximately 25 miles. In addition, it was proposed that the table of fares provided clarity that the call-out charge was the prescribed maximum and customers were at liberty to negotiate a lower charge when making the booking. The Association also considered it desirable that the booking office was used as the point of charging rather than driver's home address as the customer would have no way of knowing whether the correct call-out charge had been applied.

In conveying the details of her report, the Licensing Manager circulated a revised table of fares to reflect the representations made in relation to a pick up point charge by the Skipton Private Hire and Hackney Carriage Taxi Association.

After a lengthy debate and taking into account all the various comments, Members concluded that the suggested revised pick up charges could not be supported and resolved to reduce the proposed pick up charges by one third, as they wanted to see a fair balance between giving taxi drivers reasonable compensation for the outward journey whilst making sure that fares were affordable for the travelling public. Members also discussed the issue of a soiling charge and the level of the charge that could be made should a passenger soil a vehicle and whether the amount suggested was sufficient.

In addition, Members wanted to ensure that members of the public had an opportunity to view the fares that applied within Craven and the Licensing Manager was asked to publicise the Table of Fares as widely as possible including investigating whether it was feasible to display the Fares Table at taxi ranks.

The Council's Legal Services Manager aided Members deliberations by pointing out that whatever charges were adopted, Members had to be satisfied that there needed to be a rational basis for the fees and that, if approved, such pick up fees would be a prescribed maximum having been agreed with the hirer before the journey took place.

**Resolved** – (1) That, Table of Fares as circulated at this Committee is approved subject to the following amendments:

- a) Tariff 1 – distance to pick up point charge £1.00 for each completed mile  
Tariff 2 – distance to pick up point charge £1.20 for each completed mile  
Tariff 3 – distance to pick up point charge £1.63 for each completed mile  
Tariff 4 – distance to pick up point charge £1.50 for each completed mile
- b) That, no maximum mileage cap is applied to the above pick up point charges and that these charges only apply for any journey within the Craven District.

- c) That, the maximum soiling charge is introduced at £75.00 to cover cleaning the vehicle and loss of earnings when a passenger(s) soils a vehicle by whatever means.

(2) That, the Table of Fares is reviewed in twelve months' time.

(Councillor Ireton asked that his vote against the introduction of the soiling charge at a level of £75 be recorded.)

LIC.214

### **TAXI LICENSING POLICY**

The Licensing Manager submitted a report bringing to Members' attention several issues that had arisen following the introduction on 1 June 2018 of the Taxi Licensing Policy. Representations had been received about the Policy that required a Member decision. In addition, further matters had come to light following a recent Licensing and Appeals Sub-Committee. The Sub-Committee felt that the Licensing Committee as a whole should determine potential changes, if any, to the Policy:

#### **Vehicle Testing**

In response to representations, the Licensing Manager recommended that the Policy be amended to reduce the number of vehicle tests from three to two for vehicles that were aged three years up to twelve years and would receive a six month licence and plate.

#### **English Language Testing by Trinity College London for New Applicants**

A recent Licensing and Appeals Sub-Committee had dealt with a request to waive the test requirement for an individual who had qualifications that met and exceeded the English B1 Test. Members resolved to waive the requirement on that occasion and asked that the full Licensing Committee reconsider the condition.

#### **Safeguarding Training**

The Policy as previously agreed, included a condition for all drivers (new and renewals) to undertake safeguarding training approved and arranged by the Licensing Authority. However, that condition did not provide for applicants and licence holders to provide evidence that they had already undertaken a suitable alternative safeguarding training course which met or exceeded the Council's requisite standard. The Licensing Manager, in her report, asked Members to consider waiving the requirement where applicants and licence holders had undertaken appropriate and relevant safeguarding training to her satisfaction.

#### **Executive Hire Vehicles**

An appeal was made to a recent Licensing and Appeals Sub-Committee for a licensed vehicle to be exempt from displaying the signage for his private hire vehicle as the work undertaken was classed as 'executive hire'. The current Taxi Licensing Policy had no specific condition relating to 'executive hire'. Evidence was provided at that Sub-Committee that explained about the type of service offered by the company and how the vehicle would be used for 'executive hire' rather than normal taxi work.

The Licensing Authority had discretionary powers to issue a notice to a vehicle proprietor exempting them from displaying the plate and signage subject to certain conditions and the Sub-Committee did grant the requested exemption.

The Licensing Manager's report recommended an amendment to the Policy to permit 'executive hire' vehicles subject to stringent conditions being applied.

### Advertising/Branding on Licensed Vehicles

The Licensing and Appeals Sub-Committee recently heard three appeals against the current provisions which limited the nature of advertisements/branding on licensed vehicles. The Sub-Committee resolved to refer the matter to the Licensing Committee for consideration and determination as such a significant issue required a decision by the parent committee. The distinction between branding and third party advertising was discussed and it was suggested that any relaxation of the current Policy would have ramifications by drastically altering the appearance of taxis in Craven. Members concluded that, in all the circumstances, a period of public consultation should be carried out which would assist them in their deliberations.

In discussing thoroughly each of the particular elements of the Policy, it was

**Resolved** – (1) That, the following amendments are made to the Taxi Licensing Policy:

#### **Vehicle Testing**

Vehicles that are aged 3 or over will be tested twice a year and receive a six month licence plate.

Any vehicles which have applied to be licensed since the introduction of the 4 month test and are renewing their tests in the intervening period will automatically have their licence and plate extended to what would have been their renewal date in 2019 and then the twice a year regime as set out above shall operate.

#### **English Language Testing by Trinity College London for New Applicants**

Where an applicant has evidence that they have qualifications that are the equivalent to the English Skills Test Level B1 (GCSE Grade C or above) and those qualifications have been issued in the United Kingdom then consideration will be given to accept those qualifications as a substitute for the Trinity College English Test – this will be at the discretion of the Licensing Manager.

If an applicant is aggrieved by the decision of the Licensing Manager not to accept the evidence provided, then they can appeal to the Licensing and Appeals Sub-Committee in the first instance.

#### **Safeguarding Training**

Where an applicant has evidence that they have undertaken an appropriate and relevant safeguarding training course around children and vulnerable people then consideration will be given to accept that evidence as meeting our requirements – this will be at the discretion of the Licensing Manager. The training must be relevant to the role of a taxi driver.

If an applicant is aggrieved by the decision of the Licensing Manager not to accept the evidence provided then they can appeal to the Licensing and Appeals Sub-Committee in the first instance.

#### **Executive Hire Vehicles**

If a licence holder operates a business which they consider is 'executive hire' then application can be made in writing to the Licensing Manager providing written evidence of such. This should include information on the type of work undertaken, details of contracts that will be undertaken and any other supporting information that

demonstrates that the type of work being undertaken is 'executive hire' in the opinion of the applicant.

A decision will then be taken by the Licensing Manager whether a notice under Section 75(3) is appropriate which would include conditions that will be required to be complied with which are:

- All bookings must be recorded in a separate set of booking records;
- The vehicle will not be used for any other type of work (including school contract work and other hire and reward journeys;
- The windscreen disc will be displayed as normal which shows the plate number of the vehicle so that in the event of a complaint members of the public/customers are able to note those details in order that they can be passed to the Licensing Authority and any complaint be investigated fully;
- The licence plate issued alongside the licence will be kept in the boot of the vehicle at all times and made available for inspection upon request from any authorised officer of the Licensing Authority or Police Officer;
- The Notice issued under Section 75(3) will be kept in the vehicle at all times and made available for inspection upon request from any authorised officer of the Licensing Authority or Police Officer.

If an applicant is aggrieved by the decision of the Licensing Manager to refuse to issue a notice then they can appeal to the Licensing and Appeals Sub-Committee in the first instance.

#### **Advertising/Branding on Licensed Vehicles**

(2) That, in relation to the advertising and/or branding on licensed vehicles, the views of the trade and public are sought by way of a consultation exercise for a period of six weeks and that a report including details of any representations received is presented to the next meeting of the Licensing Committee.

LIC.215

#### **LICENSING COMMITTEE**

Members were asked to agree that the next scheduled Licensing Committee should be put back from 8<sup>th</sup> January 2019 to 22<sup>nd</sup> January 2019 to facilitate consideration of reports on CCTV in licensed vehicles and the proposed Penalty Points System.

**Resolved** – That, the next Licensing Committee is held on 22<sup>nd</sup> January 2019.

LIC.216

#### **APPOINTMENT OF SUB-COMMITTEE**

Members were advised that a Licensing and Appeals Sub-Committee may be required to determine a premises licence application. Councillors Ireton, Madeley, Myers and Solloway indicated they would be willing to sit on the panel.

**Resolved** – That, it is noted that Councillors Ireton, Madeley, Myers and Solloway indicated their willingness to be appointed to the Licensing and Appeals Sub-Committee, should it be required, on a date to be determined.

### **Minutes for Decision**

LIC.217

#### **GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES 2018-2021**

The Licensing Manager submitted a report following a review of the Statement of Principles as required by the Gambling Act 2005. The revised Statement of Principles had been made more robust to further protect vulnerable people and had taken into account revised Gambling Commission licence conditions and codes of practice.

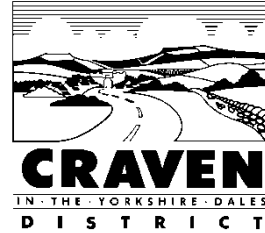
The consultation exercise resulted in one response from the Association of British Bookmakers. The Licensing Manager acknowledged that some of the points they had made regarding best practice in relation to checklists and other matters would be considered with a view to improving administrative procedures but she did not deem it necessary to amend the draft Statement of Principles 2018-2021 as submitted.

**RECOMMENDED** – That, the Gambling Statement of Principles is adopted.

Chairman.



## Licensing Committee – 22 January 2019



## TAXI LICENSING POLICY – Daily Vehicle Inspection Check Sheet

Report of the Licensing Manager

Ward(s) affected: All

1. **Purpose of Report** – This report is to approve the content and layout of the Daily Vehicle Inspection Check Sheet, which will be required to be completed by drivers and vehicle proprietors of licensed vehicles.
2. **Recommendations** – Members are recommended to:
  - 2.1 Approve the contents of the Daily Vehicle Inspection Check Sheet and require licence holders to complete them before the commencement of every shift from 1 April 2019.
3. **Report**
  - 3.1 The new Taxi Policy came into effect on 1 June 2018 and conditions were placed on both Hackney Carriages and Private Hire Vehicles that require the proprietor/driver employed to drive the licensed vehicle to undertake a daily safety check before the commencement of their shift.
  - 3.2 This condition has not been effected as yet as the Licensing Manager was asked to compile such a sheet that would be standard throughout the licensed trade.
  - 3.3 Any driver who already undertakes school contract work on behalf of North Yorkshire County Council is already required to complete a Daily Vehicle Inspection Check Sheet so such a requirement will not be something new.
  - 3.5 The condition in relation to Private Hire Vehicles states:-

### **3 GENERAL CONDITION, CLEANLINESS AND APPEARANCE OF VEHICLE**

- f. *The proprietor/driver employed to drive the vehicle must ensure that the licensed vehicle has a daily safety check. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors and seat belts. A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and kept in the vehicle for a minimum of 30 days and then for a further six months by the proprietor.*

*On being so required by a Police Officer or Authorised Officer or Vehicle Examiner the driver must produce, to that officer, the recorded daily checks kept in the vehicle and the proprietor, on request by that officer, must produce those recorded checks in his possession and/or those kept in the vehicle.*

3.6 The condition in relation to Hackney Carriages states:-

**5. General condition, cleanliness and appearance of vehicle**

- d. *The proprietor / driver employed to drive the vehicle must ensure that the licensed vehicle has a daily safety check. As a minimum this must be a visual check on all lights, oil, water, tyres, mirrors and seat belts. A written record must be made of each safety check, details of faults recorded and remedial action taken. The record must be signed by the person undertaking the safety checks and kept in the vehicle for a minimum of 30 days and then for a further six months by the proprietor.*
- e. *On being so required by a Police Officer or Authorised Officer or Vehicle Examiner the driver must produce, to that officer, the recorded daily checks kept in the vehicle and the proprietor, on request by that officer, must produce those recorded checks in his possession and/or those kept in the vehicle.*

3.4 A copy of the proposed Daily Vehicle Inspection Check Sheet is attached at Appendix A and will be provided to the licence holders.

3.5 If as part of a routine inspection the licence holder or employed driver has failed to complete the Daily Safety Check or it is found that the form has been completed with false information then the breach will be subject to penalty points being attached to the licence of the person responsible.

**Implications**

4.1 **Financial Implications** – The cost of producing the sheets for licence holders will be kept to a minimum. The way the form has been designed is so that there will be four days on 1 sheet of A4 paper. The cost to print enough sheets for one year of working days per vehicle is £2.00 including cost of paper, printing and officer time.

4.2 **Legal Implications** – The condition is already attached to vehicle licences but not enforced until the agreement of the Licensing Committee to the content of the inspection sheet. Breach of licensing condition may be enforced by way of the imposition of points under the Penalty Point Scheme, prosecution for non compliance or referral to members of the Licensing and Appeals Sub Committee for further consideration as to whether the licence holder remains fit and proper to be licensed.

4.3 **Contribution to Corporate Priorities** – Promoting the wellbeing of Craven's communities

4.4 **Risk Management** –.

4.5 **Equality Impact Assessment** – The Council's Equality Impact Assessment has not been carried out.

5. **Consultations with Others** – None

6. **Access to Information : Background Documents** – Craven Taxi Licensing Policy and Vehicle Conditions

7. **Author of the Report** – Deborah Bragg – Licensing Manager 01756 706343

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

**Appendices** – Appendix A – Draft Daily Inspection Sheet

### Driver Pre Shift Vehicle Safety Check Sheet

To be completed before the start of each shift – by signing the document you are confirming you are fit to drive on this date and you have carried out the checks listed below.

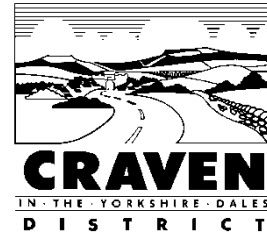
This sheet must be kept in the vehicle in strict date order and be made available upon request to any Authorised Officer/Police Officer or Vehicle Examiner (including DVSA) upon request.

This document must be kept in the vehicle for a minimum of 30 days and thereafter a further six months by the proprietor.

Reg No:	Driver Name (PRINT):		Date of Check:	
Plate No:	Badge No:		Time of Check:	
Mileage:				
Checklist	Serviceable Yes                      No		Defect Description	Action Taken
Fuel/Oil/Water Leaks				
Battery/Security/Condition				
Tyres and Wheel Fixings				
Load Security/Wheelchair fixings (If applicable)				
Body and Wing Security				
Steering				
Brakes				
Lights/ Indicators/Gauges etc (interior and exterior)				
Reflectors/Markers				
Number Plates/Lights				
Mirrors/Glass				
Wipers/Washers				
Horn				
Excessive Engine/Exhaust Smoke				
Licence Plate/Internal Signage including Fares Card and Driver Badge/Roof Sign				
Seatbelts				
Internal/External Cleanliness of Vehicle				
Speedo				
Vehicle Damage Identified				
If no defects found write NIL:				
Driver Signature:				

## Licensing Committee – 22 January 2019

# TAXI LICENSING POLICY – Introduction of Penalty Points Scheme



Report of the Licensing Manager

Ward(s) affected: All

1. **Purpose of Report** – This report seeks Members approval of a Penalty Points Scheme for taxi drivers where infringements of licensing conditions, licensing legislation or misconduct has been proven after investigation by officers.
2. **Recommendations** – Members are recommended to:
  - 2.1 Approve the scheme with a date of introduction of 1 April 2019.
  - 2.2 That a further report be submitted to the Licensing Committee in twelve months detailing the impact of the system on levels of compliance including details of the number of points recorded against licence holders and reasons why.
3. **Report**
  - 3.1 On 1 June 2018 the revised taxi licensing policy came into force and as part of the policy, members determined that a penalty points scheme to deal with infringements of licensing conditions, licensing legislation or misconduct by taxi drivers should be introduced.
  - 3.2 Currently there is no systematic mechanism (other than issuing written warnings or referral to the Licensing and Appeals Sub Committee) for dealing with minor misconduct or repeated misconduct by taxi drivers.
  - 3.3 Should licence holders commit offences, then depending on the circumstances the licence holder can be prosecuted using the relevant legislative powers (Local Government (Miscellaneous Provisions) Act 1976/Town Police Clauses Act 1847). In addition, breaches of conditions attached to licences and the code of conduct as well as misconduct involving members of the public or others are referred to the Licensing and Appeals Sub Committee for members to determine whether any sanction is appropriate to be taken against a driver/licence holder. This ranges from taking no action, warnings, suspensions or in the most serious of cases revocation of licences.
  - 3.4 Currently officers decide on a case by case basis whether licence holders whose conduct they consider unsatisfactory are to be prosecuted (if appropriate) or referred to the Licensing and Appeals Sub Committee for members to determine whether any action should be taken against their licence. There is clear merit in the proposed penalty points scheme, not least on account of simplicity and consistency.

Many local authorities such as Preston CC, Rother DC and Wealden DC have run successful schemes.

- 3.5 Such matters include failure to display door signs/plates, failure to wear badges, failure to produce documents when required to do so, overcharging of customers, failure to notify of convictions or address changes to name but a few issues that the Licensing Team deal with on a regular basis.
- 3.6 The aim of a penalty point scheme would be to provide a consistent approach to dealing with unsatisfactory conduct, thereby improving standards within the taxi trade. The scheme will act as a record of a licence holder's behaviour and conduct so as to provide a clear picture of whether that person continues to be considered to be a 'fit and proper' person to hold a licence. Its introduction will not prejudice the Council's ability to take other action, such as prosecution where this is considered appropriate. It is a formalised stepped enforcement plan.
- 3.7 It is proposed that the current system of enforcement remains whereby any contravention of statutes, rules, regulations are dealt with in a number of ways – written warnings, suspension notices and prosecution, and each case is dealt with on the particular merits.
- 3.8 The proposed scheme is attached at Appendix A.
- 3.9 Complaints from the public concerning significant breaches of conduct will be subject to investigation by officers and may be reported to the Licensing and Appeals Sub Committee for the issue of discretionary points.
- 3.10 Where a licensee accumulates 12 or more penalty points in any 12 month period, the matter will be referred to the Council's Licensing and Appeals Sub Committee for the Licensing and Appeals Sub Committee to decide whether the licensee remains a fit and proper person. The Licensing and Appeals Sub Committee may then suspend or revoke a licence, or issue a warning to the licence holder, depending on the circumstances. Periods of suspension of a licence by Members will be dependent on the nature of the breaches of the legislation/conditions and the compliance history of the individual. Suspension periods will normally vary between 7 to 31 days.
- 3.11 Penalty Points will remain current for 12 months from the date the penalty points were issued. Points issued to either the proprietor of a vehicle, operator or a driver will be confirmed in writing normally within 10 working days of the conclusion of the investigation into the contravention.
- 3.12 The system will operate without prejudice to the Council's ability to take other action that it is entitled to take under legislation, byelaws and regulations.
- 3.13 Any disputes regarding the issuing of penalty points will be referred to the Licensing and Appeals Sub Committee who will have the discretion to award a greater number of points than displayed on the tariff, if the complaint is upheld. Licence

holders must appeal *against points awarded by officers* to the Licensing and Appeals Sub Committee within 21 days of them being issued if they wish to challenge the decision.

- 3.14 If points are issued to a proprietor/driver or operator by the Council for a matter which is also a criminal offence, e.g. bald tyres, no badge, those person (s) will not be the subject of a prosecution for that offence by the Council.

- 4.1 **Financial Implications** – There are no quantifiable financial implications arising as a result of this proposal although the impact upon staffing requirements of administering the system will need to be monitored as well as the impact on the Licensing and Appeals Sub Committee dealing with any appeals received against the awarding of points.

- 4.2 **Legal Implications** – Hackney Carriage and Private Hire Operators, drivers and vehicles are principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police Clauses Act 1847, Councils Byelaws and the Rules, Regulations and Conditions set by the Licensing Committee.

Many Licensing Authorities have now adopted such schemes in an attempt to drive up standards in the taxi trade and deal in an efficient way with what are considered minor infringements. However, repeated failure to comply with what may otherwise be considered minor issues by a licence holder could well demonstrate that the fit and proper criteria required to hold a licence is no longer met.

A right of appeal lies to the Licensing and Appeals Sub Committee against any officer decision to impose penalty points.

- 4.3 **Contribution to Corporate Priorities** – Promoting the wellbeing of Craven's communities.

- 4.4 **Risk Management** –.

- 4.5 **Equality Impact Assessment** – The Council's Equality Impact Assessment has not been carried out.

- 5. **Consultations with Others** – Work has been carried out to research penalty point schemes that may have been adopted by other Licensing Authorities. The scheme proposed is based on that of Wealden and Rother District Councils Scheme which was the first scheme to be introduced and has been put forward as Best Practice by the Institute of Licensing.

- 6. **Access to Information : Background Documents** – Craven Taxi Licensing Policy

- 7. **Author of the Report** – Deborah Bragg – Licensing Manager 01756 706343

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

**Appendices** – Appendix A – Draft Penalty Points Scheme

## Penalty Points Scheme

	Details of the misconduct	Points Applicable	Driver	Vehicle Owner or Operator
1	Providing false or misleading information on licence application form / failing to provide relevant information or pay the relevant fee (including dishonoured cheques)	6	✓	✓
2	Failure to notify, in writing, the Council of a change of address within 7 calendar days	3	✓	✓
3	Refusal to accept hiring without reasonable cause	6	✓	✓
4	Unreasonable prolongation of journeys or any misconduct regarding the charging of fares	6	✓	
5	Plying for hire by Private hire drivers or Hackney Carriage drivers plying for hire outside the district	9	✓	✓
6	Private hire vehicle parking or waiting on a taxi rank	9	✓	✓
7	Inappropriate behaviour at a taxi rank,	1-12*	✓	✓
8	Leaving a taxi unattended at a rank	4	✓	
9	Using unlicensed vehicle or using a licensed vehicle without insurance or without a valid VCT	12	✓	✓
10	Failure to produce relevant documents within timescales when requested by an Authorised Officer	4	✓	✓
11	Failure to complete Daily Safety Check of vehicle and complete the form/falsifying Daily Safety Check Sheet	6	✓	✓
12	Unsatisfactory condition of vehicle, interior or exterior	4	✓	✓
13	Failure to provide proof of insurance cover when requested	6	✓	✓
14	Failure to produce Hackney Carriage or Private Hire vehicle for re-testing when required	4		✓
15	Using a vehicle subject to a suspension order issued by an Authorised Officer or a police officer	12	✓	✓
16	Using a vehicle for which the licence has been suspended or revoked	12	✓	✓
17	Failure to report, in writing, within 72 hours, accident or damage to licensed vehicle, which would cause the vehicle to breach licence conditions	4	✓	✓
18	Carrying more passengers than stated on the vehicle licence	6	✓	
19	Failure to display external/internal licence plate in a fixed position or failure to display appropriate door signs	6	✓	✓
20	Carrying an offensive weapon in the vehicle	12	✓	
21	Failure to notify a transfer of Private Hire or Hackney Carriage vehicle licence within 14 days of transfer	4		✓
22	Failure to carry fire extinguisher	4		✓
23	Failure to carry first aid kit	3		✓
	Details of the misconduct	Points Applicable	Driver	Vehicle Owner or Operator



24	Displaying unsuitable or inappropriate sited signs or unauthorised advertisements in or on the vehicle	3	✓	✓
25	Failure to use authorised roof light	4	✓	✓
26	Failure to maintain records in a suitable form of the commence and cessation of work of each driver each day	4		✓
27	Failure to produce on request records of drivers' work activity	4		✓
28	Using a non approved or non-calibrated taximeter (HC)	6	✓	✓
29	Obstruction of an authorised officer or police officer wishing to examine a licensed vehicle	12	✓	✓
30	Evidence of smoking in vehicle	3	✓	✓
31	Evidence of food or drink in Vehicle	3	✓	✓
32	Displaying any feature on private hire vehicle that may suggest that it is a Hackney Carriage	6	✓	✓
33	Using a vehicle, the appearance of which suggests that it is a Taxi	6	✓	✓
34	Failure to carry an assistance dog without requisite medical exemption certificate	12	✓	✓
35	Driver not holding a current DVLA licence	12	✓	✓
36	Failure to have the driver's badge clearly displayed	4	✓	
37	Failure to notify, in writing, a change in medical circumstances	6	✓	✓
38	Unsatisfactory appearance of driver	4	✓	
39	Failure to observe rank discipline (HC)	3	✓	
40	Failure to maintain proper records of private hire vehicles	3		✓
41	Failure to keep or produce records of Private Hire bookings or other documents required to be kept or produced	6		✓
42	Misleading use of the words 'Taxi' or 'Cab' on advertising materials	3		✓
43	Failure to issue receipt on request .	6	✓	✓
44	Using a licensed vehicle in a dangerous condition	9	✓	✓
45	Failure to return vehicle licence plate within 7 days after due notice following expiry, revocation or suspensions of such licence	4		✓
46	Unsatisfactory behaviour or conduct of a driver.	1-12*	✓	
47	Failure to notify the Council in writing, of any motoring or criminal convictions within 21 days or conviction or cautions during period of current licence	6	✓	✓
	<b>Details of the misconduct</b>	<b>Points Applicable</b>	<b>Driver</b>	<b>Vehicle Owner or Operator</b>
48	Failure to behave in a civil and orderly manner, or bringing the trade into disrepute.	1-12*	✓	✓

48	Failure to provide reasonable assistance to a passenger	1-12*	✓	✓
49	Failure to display a correct up to date fare card (HC)	3	✓	✓
50	Carrying two or more separate fares without the appropriate consent	9	✓	
51	Failure to carry a legal spare wheel (or appropriate alternative) and the necessary tools to fit the spare wheel	4	✓	✓
52	Failure to attend punctually at appointed time and place without sufficient cause	4	✓	✓
53	A licensed vehicle with a bald or dangerous or defective tyre	4 per tyre	✓	✓
54	Failure to submit licence renewal application including documents and attendance at a vehicle inspection	6	✓	✓
55	Failure to display an applicable fare card AND the Councils valid fare card together	3	✓	✓
56	Waiting or stopping on a double yellow area, bus stop or private land (without the owner's permission) unless requested by a paying customer present in the vehicle	3	✓	
57	Driving whilst using a mobile phone	9	✓	
58	Appeal of points by way of Licensing Sub-Committee	4-12*	✓	✓

\*- discretionary points up to a maximum of 6 points can be issued by officers, but greater awards of points can only be issued by the Licensing and Appeals Sub Committee.

Officers may refer any mandatory award of points to Members where there are aggravating features to any case

Ticks indicate potential recipients of points for infringements, but are not limited to those only. Certain cases may result in drivers and/or proprietors and/or operators receiving penalty points. Points may be awarded to one or several persons depending upon the circumstances of the case, but each case will be considered on its individual merits.

## Craven District Council – Penalty Point Scheme

### Introduction

1.0 Hackney Carriage and Private Hire Operators, drivers and vehicles are principally governed by the Local Government (Miscellaneous Provisions) Act 1976, Town Police

Clauses Act 1847, Councils Byelaws and the Rules, Regulations and Conditions set by the Licensing Committee.

- 2.0 Should operators, drivers or proprietors of vehicles commit an offence or breach those rules, regulations or conditions of licence, persons involved are asked to attend the offices for an interview and then once investigations are completed, letters are sent out detailing the outcome and a permanent record kept on the persons' file. The outcome of investigations may result in no further action being taken, penalty points being awarded, a formal warning, referral to the Licensing and Appeals Sub Committee and /or prosecution.
- 3.0 The aim of a penalty point scheme is to work in conjunction with other enforcement options. It provides a formalised stepped enforcement plan. The purpose of the scheme is to record misdemeanours and to act as a record of drivers, vehicle proprietors and operator's behaviour and conduct so as to ascertain whether they are a fit and proper person. It does not prejudice the Council's ability to take other actions.
- 4.0 The primary objective of the penalty point's scheme is to improve levels of compliance and help improve the standards, safety and protection of the travelling public.
- 5.0 Penalty points remain on the licensee's record for twelve months. The period is a roll forward basis, so as to allow any older points to be considered as spent and therefore excluded from the running total recorded against any individual licensee.

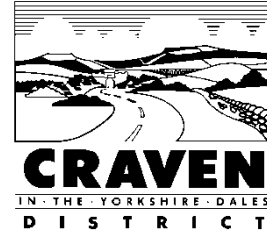
#### **Issue of Penalty Points**

- 6.0 Complaints from the public concerning significant breaches of conduct will be subject to investigation by officers and may be reported to the Licensing and Appeals Sub Committee for the issue of discretionary points.
- 7.0 Where a licensee accumulates 12 or more penalty points in any 12 month period, the matter will be referred to the Council's Licensing and Appeals Sub Committee for the Licensing and Appeals Sub Committee to decide whether the licensee remains a fit and proper person. The Licensing and Appeals Sub Committee may then suspend or revoke a licence, or issue a warning to the Licensee, depending on the circumstances. Periods of suspension of a licence by Members will be dependent on the nature of the breaches of the legislation/conditions and the compliance history of the individual. Suspension periods will normally vary between 7 to 31 days.
- 8.0 Penalty Points will remain current for 12 months from the date the penalty points were issued. Points issued to either the proprietor of a vehicle, operator or a driver will be confirmed in writing normally within 10 working days of the conclusion of the investigation into the contravention.
- 9.0 The system will operate without prejudice to the Council's ability to take other action that it is entitled to take under legislation, byelaws and regulations.
- 10.0 Any disputes regarding the issuing of penalty points will be referred to the Licensing and Appeals Sub Committee who will have the discretion to award a greater number of points than displayed on the tariff, if the complaint is upheld. Drivers or Operators must appeal *against points awarded by officers* to the Licensing and Appeals Sub Committee within 21 days of them being issued.

- 11.0 If points are issued to a proprietor/driver or operator by the Council for a matter which is also a criminal offence, e.g. bald tyres, no badge, those person (s) will not be the subject of a prosecution for that offence by the Council.

Draft

## Licensing Committee – 22 January 2019



### TAXI LICENSING POLICY – Branding on Licensed Vehicles

Report of the Licensing Manager

Ward(s) affected: All

1. **Purpose of Report** – This report seeks to bring to the attention of members the results of a consultation that took place to make amendments to the Taxi Licensing Policy which came into force on 1 June 2018 to allow approved branding of Licensed Hackney Carriages or Private Hire Businesses on licensed vehicles within Craven.
  - 1.1 Members are asked to consider the comments received and determine whether to amend the Taxi Policy and adopt the Policy which would become Appendix 'O' of the Taxi Licensing Policy.
2. **Recommendations** – Members are recommended to:
  - 2.1 Consider the comments received and:-
    - 2.1.1 Approve the proposed policy in relation to branding of licensed Hackney Carriage or Private Hire Businesses on Licensed Vehicles; or
    - 2.1.2 Amend the proposed policy where deemed appropriate and allow branding of licensed Hackney Carriage or Private Hire Businesses on Licensed Vehicles; or
    - 2.1.3 Not adopt the policy and not allow and branding of licensed Hackney Carriage or Private Hire Businesses on Licensed Vehicles.
3. **Report**
  - 3.1 On 13 November 2018 Members considered a report by the Licensing Manager to make amendments to parts of the Taxi Policy which came into force on 1 June 2018 and which had been subject to quite lengthy consultation with the trade and other interested parties.
  - 3.2 Paragraph 3.8 of the report presented to the Committee (and reproduced below) proposed that an amendment be made to the adopted Taxi Policy to allow branding of licensed Hackney Carriages and Private Hire businesses in Craven on licensed vehicles. The proposed Policy is attached at Appendix A.

### **“3.8 Advertisements**

*Limited advertising will be allowed on Private Hire Vehicles subject to the approval of the Council. Advertisements must be in accordance with the requirement set out in Appendix O – which is attached at the rear of the report at Appendix A.*

*Extracts from the Adopted Taxi Policy*

#### **6.16 Additional Provisions for Hackney Carriage Vehicles Only**

##### **Advertisements**

*Only the telephone number and the name of the company/proprietor will be permitted on the roof signs of Hackney Carriage Vehicles – no other advertisement will be permitted including door signs.*

*In relation to **Private Hire Vehicles** the conditions attached to licences are as follows:-*

#### **4 IDENTIFICATION PLATE, SIGNS, NOTICES ETC.**

*The following must be in place at all times:*

- (a) A licence plate permanently affixed to the rear of the vehicle*
- (b) A notice permanently fixed to the interior glazed surface of the front windscreen so that the contents of the notice are visible from the outside of the vehicle.*
- (c) A notice, clearly visible from the passenger seats / compartment, identifying the current driver of the vehicle.*

*The sign / plates and notices referred to above will be issued or approved for use by Craven District Council.*

*The signs / plates and notices must be affixed to the vehicle in accordance with the requirements set out by the council.*

*No other signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever shall be displayed on, in or from the vehicles except as may be required by any statutory provision or required or permitted by these conditions, provided however, that this condition will not apply to any indication on a taximeter fitted to the vehicle.*

*A private hire vehicle must not display:-*

- (a) Any sign or notice which consists of or includes the word ‘taxi’ or ‘cab’ whether in the singular or plural or ‘hire’ or any word of similar meaning or*

*appearance to any of those words whether alone or as part of another word; or*

- (b) *any sign, notice, mark, illumination or other feature which, having regard to that time and place at which it is displayed, may suggest to a person seeking to hire a taxi that the vehicle is a taxi.*

*In relation to **Hackney Carriages** the conditions attached to licences are as follows:-*

#### **6. Identification Plate, Signs, Notices etc.**

*The following must be in place at all times and permanently affixed:*

- *A licence plate permanently affixed to the rear of the vehicle*
- *A sign / notice permanently affixed to each front door of the vehicle*
- *A notice, clearly visible from the passenger seats / compartment, identifying the current driver of the vehicle.*
- *A notice permanently fixed to the interior glazed surface of the front windscreen so that the contents of the notice are visible from the outside of the vehicle.*
- *A notice, clearly visible from the passenger seats / compartment, identifying the current driver of the vehicle.*
- *A properly constructed roof sign complying with the following conditions:*

*the sign is not more than 7" in height;  
it is displayed across the width of the car (not diagonally) and does not extend beyond the edge of the roof;  
it displays only the name and/or telephone number of the proprietor of the vehicle or firm by which the proprietor is employed, or the word 'Taxi'.*

*The sign / plates and notices referred to above will be issued or approved for use by Craven District Council.*

*The signs / plates and notices must be affixed to the vehicle in accordance with the requirements set out by the council.*

***No other signs, notices, advertisements, plates, marks, numbers, letters, figures, symbols, emblems or devices whatsoever must be displayed on, in or from the vehicles except as may be required by any statutory provision (including by-laws) or required or permitted by these conditions, provided however, that this condition will not apply to any indication on a taximeter fitted to the vehicle."***

- 3.3 Members heard that at the Licensing and Appeals Sub Committee on 18 October 2018 three applicants requested that the policy and conditions applicable to either their Hackney Carriage or Private Hire Vehicle licences be dis-applied for varying reasons:-

- An applicant wishing to licence Hackney Carriages which are professionally wrapped vehicles with their company branding which is specific to their company and is part of their company image;
  - An existing licensed Hackney Carriage Vehicle proprietor wishing to be allowed to continue to display a sign on the doors of his vehicle which advertises the name of his company in Skipton as part of his branding.
  - An existing licensed Private Hire Vehicle Operator and Vehicle Proprietor who has currently got a professionally wrapped licensed vehicle which is branded with his company name that includes the word 'cab' also.
- 3.4 One of the licence holders and the applicant attended the Licensing Committee and made verbal representations to the Licensing Committee about their own specific requests.
- 3.5 After considering the requests and the proposed Policy which would allow licence holders to submit applications to the Licensing Manager to allow approved branding where deemed appropriate, members determined that a consultation be undertaken with the trade on this specific issue as it was deemed to be quite an important area that would have the potential to have quite an impact on the taxi trade should it be allowed.
- 3.6 On 13 December 2018 a letter was sent to all Hackney Carriage and Private Hire Licence holders seeking their views on the proposal. The deadline for responses to be received was Noon on 4 January 2019. This letter is attached at Appendix B to the report.
- 3.7 The letter also contained information about a number of other issues that were important to the trade including the changes to policy that had been made by Licensing Committee on 13 November 2018.
- 3.8 As a result of this consultation only one response has been received and that is from one of the original licence holders who attended both the Licensing and Appeals Sub Committee on 18 October 2018 as well as the Licensing Committee on 13 November 2018. His response is attached at Appendix C.

### **Implications**

- 4.1 **Financial Implications** – None identified.
- 4.2 **Legal Implications** – Any proposed changes to either policy or licence conditions are administrative decisions that must be approached by the Council in a fair and reasonable way in order to protect the legal position of the Council.
- 4.3 **Contribution to Corporate Priorities** – Promoting the wellbeing of Craven's communities



4.4 **Risk Management** –.

4.5 **Equality Impact Assessment** – The Council's Equality Impact Assessment has not been carried out.

5. **Consultations with Others** – Letter to trade sent 13 December 2018

6. **Access to Information : Background Documents** – Craven Taxi Licensing Policy

7. **Author of the Report** – Deborah Bragg – Licensing Manager 01756 706343

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

**Appendices** –      Appendix A – Proposed Appendix 'O' to Taxi Licensing Policy  
                                 Appendix B – Letter to trade dated 13 December 2018  
                                 Appendix C – Email from Alexander Gordon Thompson –  
                                 Owner of Dales Cab Company

## Appendix 'O'

### **Policy in relation to the Branding of Licensed Hackney Carriage or Private Hire Businesses on Licensed Vehicles**

In order that branding of licensed Hackney Carriage or Private Hire businesses on licensed vehicles are of a standard type, the following conditions shall apply:-

(a) That company branding on a licensed vehicle may only be allowed if:-

- The branding is displayed on the rear passenger doors of the vehicle only and shall be the same size as the existing Hackney Carriage or Private Hire door signs issued by the Licensing Authority, or will cover a similar area if different in shape; or
- The branding of the vehicle is done by way of a professional wrap of the vehicle which does not detract from the ability of customers to be able to identify the vehicle as either a licensed Hackney Carriage or Private Hire Vehicle and that those signs and plates issued by the Licensing Authority are clearly visible.

(b) That no branding should promote tobacco or alcohol products;

(c) That no branding shall be of a sexual, religious or political nature and that it shall not be likely to cause offence;

(d) That no branding shall be displayed without the written approval of the Licensing Manager;

(e) In the case of Private Hire Vehicles, the proposed branding of the company is to be submitted for approval by the licensed operator not individual vehicle owners;

(f) In the case of Hackney Carriage Vehicle proprietors the proposed branding of the company is to be submitted for approval either by the individual Hackney Carriage Proprietor –

if they operate as a trading name in their own right, or:-

If a number of Hackney Carriage proprietors work together collectively as a company from a Booking Office then the request can be made from an individual from that company who is designated in writing and is evidenced as formally the company owner or manager responsible for the day to day running of the business.

(g) That the licensed operator / hackney carriage proprietor submitting a request for any branding approval shall submit a written request as well as copies of any designs of any proposed signs/wrapping to the Licensing Manager for consideration.

(h) In the case of any existing licence holder who has branding on their vehicle which has been professionally wrapped or attached to their vehicle which does not comply with the above requirements or conditions attached to their licence can make a formal request in writing to the Licensing Manager seeking approval to continue to use such branding until such time as their vehicle is replaced.

If an applicant is aggrieved by the decision of the Licensing Manager to give permission for the branding then they can appeal to the Licensing and Appeals Sub Committee in the first instance.

1 Belle Vue Square  
Broughton Road  
SKIPTON  
North Yorkshire  
BD23 1FJ



^ND,FULLNAME.LIAPPLICANT;  
^ND,ADDRESS.LIAPPLICANT;

Telephone: 01756 706343  
Deborah Bragg Licensing Manager  
Email address:licensing@cravenc.gov.uk

13 December 2018

Dear Licence holder

## NEW TAXI FARES TARIFF AND OTHER MATTERS

I am writing to advise you that at Licensing Committee on 13 November 2018 members agreed a number of matters that will affect you as licence holder. Each issue is listed below: -

### TAXI FARES

Please find enclosed the new tariff card which must be displayed in your vehicle in a prominent place for customers to be able to view. The new card includes a booking fee which can be applied **with the agreement of the customer** for journeys which are pre booked. In such instances, the driver has to travel a significant distance to the pickup point before then being able to switch the meter on once the customer has got into the vehicle for their onward journey.

The meter in your vehicle must be calibrated to include this charge as part of the 'extras' function and will need to be checked to ensure that it has been completed correctly.

The charge is discretionary and does not need to be applied if the driver does not wish to do so.

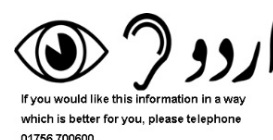
### VEHICLE TESTING

Members have agreed to amend the Taxi Licensing Policy in relation to vehicles which are over three years old. Any vehicle now reaching the age of three will require to be tested twice a year and if so licensed will on each occasion receive a six-month licence and plate.

Any vehicles which are currently on the four month testing regime and have had two tests already this year will automatically get their licence and plate extended for the remainder of the year once the existing plate and licence expires.

---

Paul Shevlin, Chief Executive  
Calls may be recorded for training and monitoring purposes  
For general enquiries telephone 01756 700600



## **VEHICLE ADVERTISING/BRANDING**

Members have asked that a consultation be undertaken in relation to the attached policy regarding branding of company names on both Hackney Carriages and Private Hire Vehicles. Your views are sought on whether you feel branding on vehicles is appropriate or not.

If you have any comments to make then please email them to [licensing@cravendc.gov.uk](mailto:licensing@cravendc.gov.uk) by Midday on Friday 4 January 2019. A report will then be presented to the Licensing Committee on 22 January 2018 for members to consider whether to allow branding on licensed vehicles in Craven. All responses received will be presented to members.

## **ENGLISH LANGUAGE TESTING BY TRINITY COLLEGE LONDON FOR NEW APPLICANTS**

Members agreed to amend the Taxi Licensing Policy to state that where an applicant has evidence that they have qualifications that are the equivalent to the English Skill Test Level B1 (GCSE Grade C or above) and those qualifications have been issued in the United Kingdom then consideration will be given to accepting those qualifications as appropriate evidence as an alternative to the above requirement, at the discretion of the Licensing Manager.

## **SAFEGUARDING TRAINING – UNDER THE NEW POLICY ALL DRIVERS (NEW AND RENEWAL) ARE REQUIRED TO UNDERTAKE SAFEGUARDING TRAINING**

Where an applicant has evidence that they have undertaken an appropriate and relevant safeguarding training course around children and vulnerable people then consideration will be given to accept that evidence as meeting our requirements – this will be at the discretion of the Licensing Manager. The training must be relevant to the role of a taxi driver.

## **EXECUTIVE HIRE VEHICLES**

The Taxi Licensing Policy has been amended so that If a licence holder operates a business which they consider is 'Executive Hire' then a written application for an exemption can be made to the Licensing Manager, providing supporting evidence that the vehicle is used for executive hire purposes only. This should include information of the type of work undertaken, details of contracts that will be undertaken and any other supporting information that demonstrate that the type of work being undertaken is 'executive hire' in the opinion of the applicant.

A decision will then be taken by the Licensing Manager whether a notice under Section 75(3) is appropriate which would include conditions that will be required to be complied with which are: -

- All bookings must be recorded in a separate set of booking records;
- The vehicle will not be used for any other type of work (including school contract work and other hire and reward journeys;
- The windscreen disc will be displayed as normal which shows the plate number of the vehicle so that in the event of a complaint members of the public/customers are able to note those details in order that they can be passed to the Licensing Authority and any complaint be investigated fully;
- The licence plate issued alongside the licence will be kept in the boot of the vehicle at all times and made available for inspection upon request from any authorised officer of the Licensing Authority or Police Officer;
- The Notice issued under Section 75(3) will be kept in the vehicle at all times and made available for inspection upon request from any authorised officer of the Licensing Authority or Police Officer.

If an applicant is aggrieved by the decision of the Licensing Manager to refuse to issue a notice, then they can appeal to the Licensing and Appeals Sub Committee in the first instance.

## **ISSUING OF DRIVER AND VEHICLE LICENCES**

Where we have an email address for a licence holder we will now email a licence to you along with the conditions. You will still need to pick up the plate/badge from Customer Services and return your old ones in the usual way.

## **DBS CHECKS – REQUIREMENT TO SIGN UP TO UPDATE SERVICE**

When applying to renew your badge it is a requirement that you also sign up to the DBS Update Service which will allow us to check your certificate online. You must do this as soon as you receive your certificate and within 30 days of your certificate being issued. The cost is £13.00 per year and you must maintain the subscription throughout the life of your licence.

It will mean when your badge is due for renewal in 3 years' time you will not need to do another full check unless when we check the system it indicates that there has been a change on your record.

**It is a condition attached to the licence issued to you that you remain signed up to the Update Service – failure to do so may result in action being taken against you which could lead to suspension or revocation of your licence.**

## **MEDICALS**

Just a reminder that medicals are now only required on the following occasions:

On first application then the age of 45 and every 5 years thereafter until aged 65 when annual examinations are required. Licence holders with certain medical conditions (for example certain neurological conditions) may also be required to submit annual forms and adhere to additional requirements in order for them to retain their drivers' licence.

Any person who is 65 or over will only receive an annual licence.

## **DRIVER RENEWAL PROCESS**

All driver renewals are being dealt with by way of appointment system so that we can try and ensure that the application process is as simple as possible. To help with this please ensure that you have started your Disclosure and Barring Service Enhanced Disclosure Application online before you come into the appointment.

At this appointment you will also take your Safeguarding Training which is online and should take no more than 45 minutes to complete. The cost will be £18.00 and this is payable when you login to the system to take the training. **You will need to bring with you an email address which you can access at the time to validate your login.**

Myself and Tim will be there to guide you through this process and help with any IT issues including the setting up of an email account should this be needed.

## **CONTACTING THE LICENSING TEAM**

The Licensing Team not only deal with taxi matters, but also process a lot of other licensing matters and therefore we are not always available if you just arrive at Customer Services - as we may be out at meetings or dealing with other issues which have taken us away from our desks. To avoid difficulties when you come to Customer Services, please ensure that you bring all the documents etc. that you require. Your renewal letters and the application forms all state what documents are needed from you.

If you still want to speak with someone in Licensing, please leave a message with Customer Services who will send us a message and we will call you as soon as we are available.

If you want to see us in person then we do make appointments which are convenient for both parties and this is the best way of being able to speak to us directly if you need to see us in person as we are not always to see people who just call in to the office.

Yours sincerely

**Deborah Bragg**  
**Licensing Manager**



**Section 65 Local Government (Miscellaneous Provisions) Act 1976**

**TABLE OF FARES**

The meter must be engaged for each and every journey, whether the vehicle has been pre-booked or not. The driver cannot charge in excess of this table of fares for any journey with the Craven District.

If the hiring takes the journey outside the District of Craven, the driver cannot charge more than this table of fares allows unless a fare has been agreed with the hirer before the commencement of the journey.

**Tariff 1 – 0600 hrs to Midnight**

Up to 1<sup>st</sup> 838 yards or 251.5 seconds.....£3.00  
Each subsequent 117.6 yards or 35.3 seconds.....10p  
**Extras – see below**  
Distance to pick up point charge .....  
£1.00 for each completed mile up to the Craven District Boundary

**Tariff 2 – Midnight to 0600 hrs**

Up to 1<sup>st</sup> 838 yards or 300.9 seconds ..... £3.30  
Each subsequent 196.6 yards or 70.6 seconds.....20p  
**Extras – see below**  
Distance to pick up point charge .....  
£1.20 for each completed mile up to the Craven District Boundary

**Tariff 3 – 1800 hrs on Christmas Eve until 0600 hrs on the 27 December and from 1800 hours New Years Eve until Midnight on New Years Day**

Up to 1<sup>st</sup> 838 yards or 413.1 seconds..... £4.21  
Each subsequent 143.2 yards or 70.6 seconds.....20p  
**Extras – see below**  
Distance to pick up point charge .....  
£1.63 for each completed mile up to the Craven District Boundary

**Tariff 4 – Vehicles when carrying 5 or more passengers**

Up to 1<sup>st</sup> 838 yards or 267 seconds .....£4.00  
Each subsequent 156.9 yards or 50 seconds..... 20p  
**Extras – see below**  
Distance to pick up point charge .....  
£1.50 for each completed mile up to the Craven District Boundary

**Soiling Charge**

A maximum soiling charge of £75.00 is payable to cover cleaning the vehicle and loss of earnings when a passenger(s) soils a vehicle by whatever means.

**Distance to Pick Up Point Charge MUST BE SHOWN AS EXTRAS ON THE DISPLAY OF THE METER**

**This charge is a prescribed maximum that can be charged and can only be applied if it is agreed with the hirer before the journey is booked and the hirer is aware of the reasons it has been applied.** The hirer can negotiate a lower fare with the driver or booking office.

The amount applied should be calculated from one of the following points (whichever is the nearer to the pick-up point):-

- Registered address of the vehicle proprietor;
- The point where the vehicle is parked when taking the booking (e.g. rank);
- The address of the booking office that the journey was booked through.

**These are maximum charges and drivers are permitted to negotiate a fare provided they do not charge any more than the table of fares allows.**

**Below is a draft proposal to allow Hackney Carriage or Private Hire Vehicles to display branding on vehicles which meets certain criteria. Comments are sought on the proposal and any comments should be received in writing either by letter or email to [licensing@cravendc.gov.uk](mailto:licensing@cravendc.gov.uk) no later than 17.00 on Friday 4 January 2018.**

**Draft Policy in relation to the Branding of Licensed Hackney Carriage or Private Hire Businesses on Licensed Vehicles**

In order that branding of licensed Hackney Carriage or Private Hire businesses on licensed vehicles are of a standard type, the following conditions shall apply:-

(a) That company branding on a licensed vehicle may only be allowed if:-

- The branding is displayed on the rear passenger doors of the vehicle only and shall be the same size as the existing Hackney Carriage or Private Hire door signs issued by the Licensing Authority, or will cover a similar area if different in shape; or
- The branding of the vehicle is done by way of a professional wrap of the vehicle which does not detract from the ability of customers to be able to identify the vehicle as either a licensed Hackney Carriage or Private Hire Vehicle and that those signs and plates issued by the Licensing Authority are clearly visible.

(d) That no branding should promote tobacco or alcohol products;

(e) That no branding shall be of a sexual, religious or political nature and that it shall not be likely to cause offence;

(f) That no branding shall be displayed without the written approval of the Licensing Manager;

(f) In the case of Private Hire Vehicles, the proposed branding of the company is to be submitted for approval by the licensed operator not individual vehicle owners;

(g) In the case of Hackney Carriage Vehicle proprietors the proposed branding of the company is to be submitted for approval either by the individual Hackney Carriage Proprietor – if they operate as a trading name in their own right, or:-

If a number of Hackney Carriage proprietors work together collectively as a company from a Booking Office then the request can be made from an individual from that company who is designated in writing and is evidenced as formally the company owner or manager responsible for the day to day running of the business.

(h) That the licensed operator / hackney carriage proprietor submitting a request for any branding approval shall submit a written request as well as copies of any designs of any proposed signs/wrapping to the Licensing Manager for consideration.

(i) In the case of any existing licence holder who has branding on their vehicle which has been professionally wrapped or attached to their vehicle which does not comply with the above requirements or conditions attached to their licence can make a formal request in writin to the Licensing Manager seeking approval to continue to use such branding until such time as their vehicle is replaced.

If an applicant is aggrieved by the decision of the Licensing Manager to give permission for the branding then they can appeal to the Licensing and Appeals Sub Committee in the first instance.

**From:** [Deborah Bragg](#)  
**To:** [Vicky Davies](#)  
**Subject:** FW: Vehicle advertising/branding  
**Date:** 14 January 2019 14:48:47  
**Attachments:** [Revised Letter to Taxi Trade.docx](#)

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**From:** - [REDACTED]  
**Sent:** 30 December 2018 11:40  
**To:** Licensing <Licensing@cravendc.gov.uk>  
**Subject:** Vehicle advertising/branding

Dear Deborah

I hope you are well and enjoying a much deserved rest over the festive season.

I have now had a chance to look through the licensing proposals you sent to me recently and very much appreciate the provision which I believe has made with my own case in mind i.e. allowing me to keep my graphics for the life of the vehicle with your permission.

However, I would appreciate a representation being made to the committee that would allow my retention of the use of my trading name and the aforementioned graphics for the life time of the business.

This request would be based on the exceptional circumstance of both name and graphics having been in use for more than 10 years. It would also negate the setting of a precedent which I understand you are anxious not to do. I feel that having worked extremely hard to build a reputation for both service and reliability over that period the trading name ***Dales Cab Company*** will have a value in terms of the saleability of the business in years to come and that the continuing use of the vehicle graphics and trading name would be an undoubted asset for any future owner.

At the point I sell the business, I will be moving into full time retirement and so any income derived from the sale of the business will be of considerable significance.

Kind Regards

Gordon

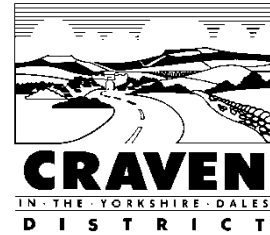
Deborah Bragg

Licensing Manager

ext: 46343



## Licensing Committee – 22 January 2019



### Introduction of Taxi Cameras (CCTV) in Licensed Vehicles in Craven

Report of the Licensing Manager

Ward(s) affected: All

1. **Purpose of Report** – This report is seeking the approval of the Licensing Committee for a specification for taxi cameras for licensed vehicles in Craven.
  - 1.1 Members are asked to consider the specification and if approved publish the specification so that suppliers of systems which meet the specification can approach the Council with a view to being placed on a list of providers which would then be available for the trade in order for them to source a system to be installed in their licensed vehicle.
2. **Recommendations** – Members are recommended to:
  - 2.1 Approve the specification save that the Council shall carry out a Data Protection Impact Assessment, in accordance with the General Data Protection Regulation ('GDPR'), and a self-assessment in accordance with the Surveillance Camera Commissioner's Code of Practice, before the systems becoming operational in vehicles.
  - 2.2 Determine a specific date in April 2020 or before when all licensed vehicles must comply with the requirement and safety cameras be installed and operational.
3. **Report**
  - 3.1 On 1 June 2018 the revised taxi licensing policy came into force and as part of the policy Members determined that all licensed vehicles in Craven be fitted with safety cameras as a mandatory requirement by April 2020. The minute from the Licensing Committee which recommended the adopted of the taxi policy is below:-

*LIC.201 That CCTV be made mandatory for all vehicles licensed by the Council from April 2020 and that all drivers be encouraged to fit CCTV once a specification and training procedures are issued by the Council. A further report shall be made to the Licensing Committee in respect of the proposed CCTV specification and training and procurement procedures associated with their purchase, installation and operation.*
  - 3.2 Attached at Appendix A is a draft specification which did form part of the original consultation documentation published in 2017 but was not included in the final

policy document which was approved by Licensing Committee. No comments were received from any interested party in this specification.

- 3.3 The issue of CCTV or safety cameras in the taxi trade has historically been an area of discussion with arguments both for and against such systems as well as whether they should be mandatory or installed on a voluntary basis.
- 3.4 During the review of the taxi policy, the issue of cameras was discussed by the Working Group (as part of their discussions with the trade and other interested parties) and the advantages and disadvantages of the introduction of cameras were fully discussed. The conclusion that was formed was that the installation of cameras would be mandatory from a specific date.
- 3.5 Since those discussions and the new taxi policy being adopted the mandatory introduction of taxi cameras in taxis and private hire vehicles has been recommended by a Task and Finish Group ('the Group') commissioned by the Minister of State at the Department of Transport and Chaired by Professor Mohammed Abdel-Haq. The report was published on 24 September 2018 and CCTV (Safety Cameras) were discussed in detail at 4.8 to 4.13 of the report and are detailed below:-

*4.8 The Group received a number of submissions and heard from witnesses about the benefits of having CCTV in taxis and PHVs. There were numerous positive comments regarding the potential benefits that CCTV might provide to both passengers and drivers. The vast majority of taxi and PHV passengers receive a good and safe service but the few drivers that abuse their position of trust undermine public confidence in passenger safety. CCTV can reaffirm or increase passenger confidence.*

*4.9 CCTV would not just protect passengers. In England and Wales, approximately 53% of taxi and PHV drivers are non-white, a much higher than average percentage of the workforce. The Group heard from the United Private Hire Drivers that 50% of drivers it surveyed had been threatened or assaulted and that 57% had been racially abused while working.*

*4.10 Where both cameras and audio recording is used, those who verbally and physically abuse drivers would do so knowing that the attack would be recorded, providing invaluable evidence to enforcement agencies. There are also incidents of false allegations being made against drivers, and CCTV evidence can protect drivers from potentially losing their licence and their livelihood.*

*4.11 Only a small number of licensing authorities in England currently require CCTV in their licensed vehicles; however, there is a strong case for having CCTV in taxis and PHVs, and licensing authorities which do not already mandate CCTV should do so. The concern most commonly raised is the costs of installing and maintaining CCTV systems. These do not however appear to be unreasonable for owners of licensed vehicles to bear given an assumed operational life of a system and the potential for reduced damage to the vehicle. The majority of taxis and PHV are owner driven these could benefit from reduced abuse and*

*assaults by passengers, reduced fare evasion and potentially increased passenger usage through greater confidence in the sector.*

4.12 *It is however not just the driver and passenger that CCTV can benefit. Licensing authorities are better able to make an informed decision whether to take no action, suspend or revoke a licence following a complaint. This evidence can be used at court should the driver appeal a decision, and it may even prevent the driver guilty of misconduct from launching an appeal. Society as a whole benefits from increased protection from crime.*

4.13 *Yet mandating CCTV in vehicles will incur extra cost for many small businesses, the vast majority of drivers currently consider as such. Recognising the benefits to society, ways of helping with individual and small business costs should be seriously explored*

3.6 The report makes the following recommendations in relation to CCTV:-

*Recommendation 17*

*In the interests of passenger safety, particularly in the light of events in towns and cities like Rochdale, Oxford, Newcastle and Rotherham, all licensed vehicles must be fitted with CCTV (visual and audio) subject to strict data protection measures. Licensing authorities must use their existing power to mandate this ahead of inclusion in national minimum standards. To support greater consistency in licensing, potentially reduce costs and assist greater out of area compliance, the Government must set out in guidance the standards and specifications of CCTV systems for use in taxis and PHVs. These must then be introduced on a mandatory basis as part of national minimum standards.*

*Recommendation 18*

*As Government and local authorities would benefit from a reduction in crime in licensed vehicle both should consider ways in which the costs to small businesses of installing CCTV can be mitigated.*

3.7 The Government have yet to consult on proposals for National Minimum Standards and any National Guidance and there is no indication on when this may be. A number of Local Authorities are now pursuing the introduction of CCTV (taxi cameras) in taxis and private hire vehicles and making it a mandatory requirement.

3.8 In the latest Statistical Bulletin produced by the Department of Transport in relation to taxis in England and Wales and published on 7 September 2017 the subject of CCTV in taxis was a survey question, and the following results were found:-

*CCTV 3% of authorities had a requirement for all licensed taxis to have CCTV fitted (10 out of 291). Of these 10 authorities with the CCTV requirement, 4 had a requirement for the CCTV to have the facility to record audio.*

*The majority of the authorities without the CCTV requirement did allow licensed taxis to have CCTV fitted (95% or 268 out of 281).*

*3% of authorities had a requirement for all licensed PHVs to have CCTV fitted (8 out of 293). Of these 8 authorities with the CCTV requirement, 3 had a requirement for the CCTV to have the facility to record audio.*

*The majority of the authorities without the CCTV requirement did allow licensed PHVs*

- 3.8 So as to ensure that the Council complies with relevant statutory obligations in respect of data collection, and before the systems become operational in vehicles, the Council will need to conduct a Data Protection Impact Assessment, in accordance with the General Data Protection Regulation, and a self-assessment in accordance with the Surveillance Camera Commissioner's Code of Practice. We do not anticipate any issues arising from these assessments that would prevent the implementation of the proposed CCTV systems in licensed vehicles. The Council is already registered as a Data Controller with the Information Commissioner, and there are no additional registration costs that would be required to be paid by the Council.

### **Implications**

- 4.1 **Financial Implications** – The installation of cameras in licensed vehicles will be an additional cost to the licence holders. The systems vary in price between around £500 to £600 but can be claimed back as a business expense through HMRC.
- 4.2 **Legal Implications** – So as to ensure that the Council complies with relevant statutory obligations in respect of data collection, and before the systems become operational in vehicles, the Council will need to conduct a Data Protection Impact Assessment, in accordance with the General Data Protection Regulation, and a self-assessment in accordance with the Surveillance Camera Commissioner's Code of Practice. We do not anticipate any issues arising from these assessments that would prevent the implementation of the proposed CCTV systems in licensed vehicles. The Council is already registered as a Data Controller with the Information Commissioner, and there are no additional registration costs that would be required to be paid by the Council.
- 4.3 **Contribution to Corporate Priorities** – Promoting the wellbeing of Craven's communities
- 4.4 **Risk Management** –.
- 4.5 **Equality Impact Assessment** – The Council's Equality Impact Assessment has not been carried out.
5. **Consultations with Others** – The Council's Information Governance Manager.
6. **Access to Information : Background Documents** – Minutes from Licensing Committee on 17 May 2018, Report of Task and Finish Group into Taxis and Private Hire Vehicles, Department of Transport Statistical Bulletin published 2017.
7. **Author of the Report** – Deborah Bragg – Licensing Manager 01756 706343  
 Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.  
**Appendices** – Appendix A – Proposed Safety Camera Specification



## **SPECIFICATION AND GUIDELINES FOR CCTV (TAXI CAMERAS) IN LICENSED HACKNEY CARRIAGES AND PRIVATE HIRE VEHICLES IN CRAVEN**

### **Introduction**

These guidelines set out to ensure that CCTV systems installed in licensed Hackney Carriages and Private Hire Vehicles licensed by Craven District Council are properly managed whilst being used to prevent and detect crime; and enhance the health, safety and security of both Hackney Carriage and Private Hire drivers as well as passengers.

Vehicle owners, who may also be the driver and/or operator, installing CCTV systems must fully comply with the requirements set out in these guidelines.

For the purposes of these guidelines the term "CCTV system" will include any electronic recording device attached to the inside of vehicle having the technical capability of capturing and retaining visual images and audio recording from inside or external to the vehicle. In addition to the standard CCTV camera system these may include for example, such devices as events/incident/accident data recording devices.

### **The purpose of CCTV**

The purpose of the CCTV system shall be to provide a safer environment for the benefit of the Taxi/PHV driver and passengers by:

- Deterring and preventing the occurrence of crime;
- Reducing the fear of crime;
- Assisting the Police/Other Enforcement Agencies including the Licensing Team in investigating incidents of crime or where a complaint is being investigated; and
- Assisting insurance companies in investigating motor vehicle accidents

### **General requirements**

Any CCTV system to be fitted must, as a minimum, meet the requirements set out in this document. Only CCTV systems meeting these requirements and approved by Craven District Council can be installed into licensed Hackney Carriage and Private Hire Vehicles.

CCTV systems installed will be inspected as part of the licensing inspection to ensure they do not pose a risk to the safety of the passengers or the driver and are fitted safely and securely.

The installation and operation of CCTV must comply with the requirements of the Information Commissioner's CCTV Code of Practice.

All equipment must comply with the attached specification.

### **Data Controller**

The law defines a "data controller" as the individual or organisation which has ultimate responsibility for how personal data is collected and processed. For the purpose of the installation and operation of in-vehicle CCTV, the "data controller" is the company, organisation or individual which has decided to have a CCTV system installed and operating within the vehicle. The data controller is ultimately responsible for how the images are stored

and used and determines in what circumstances the images should be disclosed. Craven District Council will be the Data Controller.

A data processor, in relation to personal data, means any person (other than an employee of the data controller) who processes data on behalf of the data controller, in response to specific instructions. The data controller retains full responsibility for the actions of the data processor.

### **Using recorded CCTV images**

The data controller is responsible for complying with all relevant data protection legislation, as well as being legally responsible for the use of all images including any breaches of privacy and data protection legislation.

Any images and/or audio recordings will only be used for the purposes described earlier in these guidelines

Requests to view captured images may be submitted to the data controller by the Police or other statutory law enforcement agencies; Craven District Council Licensing or other Council Officers; insurance companies/brokers/loss adjusters; or exceptionally other appropriate bodies.

The data controller is responsible for responding to these requests in accordance with the law.

Police or other law enforcement agencies should produce a standard template request form, setting out the reasons why the disclosure is required. Alternatively, a signed statement may be accepted.

All requests will only be accepted where they are in writing, and specify the reasons why disclosure is required.

Under the data protection legislation, members of the public may also make a request for the disclosure of images, but only where they have been the subject of a recording. This is known as a 'Subject Access request'. Such requests will only be accepted where they are in writing and include sufficient proof of identity (which may include a photograph to confirm they are in fact the person in the recording). Data Controllers are no longer entitled to charge a fee for a subject access request and must process the request for free.

### **Signage**

All Taxis and PHVs fitted with a CCTV system must display the sign shown below in a prominent position. The driver may also verbally bring to the attention of the passengers that CCTV equipment is in operation within the vehicle, if it is felt necessary or appropriate.

The signage must be displayed in such positions so as to minimise obstruction of vision and to make it as visible as possible to passengers, before and after entering the vehicle

The name and contact details of the Data Controller are provided in the blank space included on the sign template.

### **Signage for external facing CCTV systems**

Where a CCTV system is installed in order to record incidents outside the vehicle, it will not be practical to display a sign. Instead, when the CCTV is activated in response to an incident, the driver of the vehicle must inform the person(s) recorded that their personal data was captured - as soon as practicable after the incident. They should also be informed the purpose for which the device has been installed, for example to facilitate their insurance company's investigation of insurance claims.

## Appendix N



### Craven District Council Licensed Vehicle Taxi Camera Technical Specification and System Requirements

In order to be considered suitable for installation in a Craven District Council licensed vehicle, a taxi camera system must meet the following requirements:

#### 1 Operational Technical Specifications

Reference	Specification	Details
1.1	100% solid state design or a proven vibration and shock resistant system	The system should not have any fan and the recording should be vibration and shock proof, i.e.: <ul style="list-style-type: none"><li>- Flash-based SSD (100% industrial grade);</li><li>- Hard disc with both mechanical anti-vibration and anti-shock mechanism and self-recovery and self-check file writing system.</li></ul>
1.2	8 to 15 Volts DC	Operational between 8 and 15 volts DC.
1.3	Reverse polarity protected	System to be protected against reverse voltage.
1.4	Short Circuit Prevention	System to be protected against short circuits.
1.5	Over voltage protection	System to be protected against high voltage transients likely to be encountered in the vehicle electrical system.
1.6	Automotive Electromagnetic Compatibility Requirements	The in-vehicle taxi camera system must be compliant with the Council Directives: <ul style="list-style-type: none"><li>- 2004/108/EC on Electromagnetic Compatibility (CISPR 22/EN55022)</li><li>- 2004/104/EC on Radio Interference (sections 6.5, 6.6, 6.8 and 6.9)</li></ul> The taxi camera equipment should therefore be e-marked or CE marked with confirmation by the equipment manufacturer as being non –immunity related and suitable for use in motor vehicles.
1.7	System activation (on/off) switch to be located in a position where it is not accessible from inside	The system is required to be active at all times that the vehicle is being used as a licensed vehicle. This will allow the facility for the system to

	the vehicle (i.e. in the boot/engine compartment).	be deactivated during times when the vehicle is being used for private purposes (e.g. domestic use). The switch that deactivates the system must be located within the vehicles boot or engine compartment (i.e. it must only be possible to deactivate the system from outside the vehicle).
1.8	First-in/First-out buffer recording principle	
1.9	Built-in, automatic logging of all access actions, including date and personal names	
1.10	Security, duration and auto-clearing of log files	
1.11	Image export formats and media	Images must be exported in commercially available formats.
1.12	Image protection during power disruption	Images must be preserved in the event of loss of power. Battery back-up will not be permitted.
1.13	Unit must operate without the ignition being turned on	The Unit must have the ability to operate at least 2 hours without power from the ignition.
1.14	Image and audio data shall be recorded and stored in a unit separate from the camera head	
1.15	GPS capability	System must be compatible to allow for GPS capability.
1.16	The system must be capable of recording audio time synchronized to the recorded images	
1.17	The system shall not record audio except when audio recording is activated by means of an approved trigger	<p>The system should have the ability to start recording audio data by means of at least two trigger buttons (see also 1.26 below).</p> <p>One trigger button must be capable of being activated by the driver. Once the trigger is activated the system must begin to record audio data. The system will continue to record audio until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording (e.g. a button could be pressed to begin audio recording, pressing the button again would stop audio recording).</p> <p>The second trigger button must be capable of being activated by the passengers in the vehicle independently of the driver. Once the trigger is activated the system must begin to record audio data. The system will continue to record audio</p>



		<p>until the same trigger is activated again. The second activation of the trigger must result in the cessation of audio recording (i.e. the trigger, which could for example be a button, would be pressed to begin audio recording, pressing the button again would stop audio recording).</p> <p>Both audio activation triggers must be independent of each other – this means that audio recording can only be deactivated by means of the same trigger (driver or passenger) that was used to activate the audio recording.</p>
1.18	The audio playback, when triggered, shall be in 'real time' and synchronised with the images that are captured.	
1.19	Digital sampling of the audio signal must exceed 8KHz.	
1.20	Digital resolution of the audio samples must exceed 10 bits.	
1.21	The audio microphone shall be integrated within the camera head.	
1.22	Audio data and image data must be stored together, not in separate files, and must be protected against unauthorised access or tampering.	
1.23	The system must support testing of the audio function for installation set-up and inspection purposes.	
1.24	The system must 'go to sleep' to reduce battery drain during prolonged idle time. It must be capable of immediate reactivation	
1.25	Images recorded by the system shall not be displayed within the vehicle.	

1.26	The system must have at least two emergency activation triggers (panic buttons).	<p>One of the triggers/panic buttons must be capable of being operated by the driver – this must be independent of the audio recording activation switch.</p> <p>At least one other trigger/panic button must be capable of being operated by a passenger from any passenger seat in the vehicle. Once activated, this switch must trigger the recording of video and audio in accordance with section 6.1 below.</p>
1.27	The system must include a visual indicator that will clearly show when audio recording is taking place. This indicator must be visible to all passengers within the vehicle.	This may take the form of an indicator LED built into the audio activation switch, or a remote LED that can clearly be seen by passengers.

## 2 Storage Capacity Technical Specification

Reference	Specification	Details
2.1	Minimum of fourteen days of recording capacity.	The camera system must be capable of recording and storing a minimum of fourteen days of images of HD1 (720/288) size or better.
2.2	Images must be clear in all lighting conditions.	System to provide clear images in bright sunshine, shade, dark and total darkness. Also when strong back light is present.

## 3 Camera Head Technical Specification

Reference	Specification	Details
3.1	Camera installation non-obstructive	The camera and all system components shall be installed in a manner that does not interfere with the driver's vision or view of mirrors or otherwise normal operation of the vehicle.
3.2	Protected camera disconnect	The camera head shall be designed to disconnect for ease of removal and replacement by maintenance personnel.
3.3	Special tools for adjustment/removal.	To prevent inappropriate interference only tools supplied to authorised fitters should be capable of carrying out adjustments or removal.
3.4	Field of view to capture all passengers in the vehicle.	The lens of the camera must be of a type that captures the driver and all passengers of the vehicle on the recorded image. The lens must be of a style not to create a 'fishbowl' effect.
3.5	Images must be clear.	System to provide clear images in all lighting conditions and allow different skin tones to be detected.

3.6	Compatible for use in vehicles with a partition (shield ).	The camera system must be adaptable to provide clear images when a vehicle is equipped with a shield. This may be accomplished with the use of multiple camera heads.
3.7	Multiple cameras.	The unit shall be capable of supporting up to four (4) cameras. Four cameras may be required to provide adequate coverage in larger vehicles and/or certain purpose built vehicles.

#### 4 Storage Device (Recorder) Technical Specification

Reference	Specification	Details
4.1	Impact and shock resistance.	The recorder shall be impact resistant, sufficient to withstand a typical car accident, or striking with a large heavy object such as a suitcase.
4.2	Controller in concealed location.	The storage unit shall be concealed from view and effectively inaccessible except by authorised personnel.
4.3	Download port provision.	The recorder shall be equipped with a communication port for downloading by authorised personnel.
4.4	Download port shall be located in an easily accessible location such as a glove compartment.	The recorder download port shall be located in the glove box if practicable, if not then in a location that does not require the removal of panels and is accessible.
4.5	Download port cable length (1 foot minimum).	Download port shall be at least one foot in length for ease of download.
4.6	Recorder to be securely affixed to the vehicle.	
4.7	Log to register each user access.	
4.8	Log to register camera system parameter modifications.	
4.9	Log to register each image download session.	
4.10	Log to register modification/manipulation of downloaded images.	
4.11	Log to register exporting of downloaded images.	
4.12	Log to register exporting of downloaded clips.	

4.13	Log file protected against unauthorised access.	
4.14	Time/Date Stamp.	All stored images must be time and date stamped.
4.15	Vehicle ID number stamp.	All stored images must have two fields for Vehicle identification (VIN and number plate). Each recorded image shall be automatically stamped with a unique and non-modifiable code that identifies the controller that was used to record that image.
4.16	Controller non-modifiable ID Code stamp.	
4.17	Controller (Storage Recorder).	Manufacturer to supply Craven District Council with a supply of specialised tools to allow for removal of the controller and download data when required.

## 5 Specifications for Video and Audio Recording Rate

Reference	Specification	Detail
5.1	Video image recording on system activation (when audio is not activated).	The system shall record images at the rate of four images per second.
5.2	Video image recording when audio is activated.	The system shall record images at the rate of twenty five images per second during periods when audio recording is activated (either due to time requirement, or through activation by the driver trigger switch or passenger panic button).
5.3	When activated, audio recording must be in real time and synchronised with the video recording.	
5.4	System to continue to record images (and audio when applicable) when engine is off.	System must continue to record images (and audio when applicable) for 30 minutes after engine/ignition is switched off.

## 6 Specification for Activation via Driver or Passenger Trigger/Panic Buttons

Reference	Specification	Detail
6.1	The activation of a trigger button must provide for overwrite protected image storage when activated by driver or passenger.	The system must be fitted with at least two trigger buttons that once activated will trigger the protected recording of audio and video (see also 1.17 and 1.26 above).
6.2	Emergency image overwrite protection capability.	Image sequences resulting from emergency activation shall be recorded in an area of memory which is protected from being overwritten.
6.3	Overwrite protection capacity for at least 3 activations.	

6.4	Overwrite protection self-clear on 96 hour timer.	

## 7 Downloading Technical Specification

Reference	Specification	Details
7.1	Time to download complete memory not to exceed 30 minutes.	Time to download to be accomplished in 30 minutes or less.
7.2	Provision of necessary software, cables, security keys to Craven District Council Licensing Team.	
7.3	Windows 8 Compatible.	
7.4	Downloaded images stored in non-volatile media.	
7.5	Downloaded images stored in secure format.	
7.6	Verifiable image authenticity.	Each image shall be stamped with controller ID and vehicle ID and be tamperproof.
7.7	Provision of technical support to Craven District Council Licensing team when necessary.	To assist in accessing system in case of damage to the vehicle or to the system in case of accident within 1 hour during normal working hours and within 8 hours otherwise.
7.8	Wireless Download Prohibited	Unit must not allow for wireless downloads. Wireless diagnostic may be used. All wireless hardware to be disabled.
7.9	Filter the specific images for events and times for the approximate time of the crime committed.	

## 8 Requirements in Relation to System Information

Reference	Requirement	Details
8.1	Provision of service log sheet with each unit shipped.	The unit manufacturer shall have a service log shipped with the unit. The manufacturer shall also enclose detailed instructions for the drivers with each unit shipped. An installation manual shall also be furnished to authorised installers and fleet operators.

8.2	Serial number indication on service log.	The unit will be marked with a serial number.
8.3	Installation date indication on service log.	The provision for the installer to indicate installation date.
8.4	Provision of driver instruction card with each unit shipped.	
8.5	Provision of installation manual to installers and fleet operators.	
8.6	Clarity of operating instructions.	The system shall be provided with clear and concise operation instructions which are written with due consideration to varying levels of literacy.
8.7	Installation by authorised agents.	The unit shall be installed by manufacturer's authorised agents, or other installers approved by the Council (subject to agreement with the manufacturer).
8.8	Provision of authorised agents list to Craven District Council Licensing Team.	The manufacturer shall provide a list of all authorised agents to Craven District Council Licensing Team.
8.9	Documentation.	The manufacturer must provide clear and concise operating instructions which are written in layman's terms. (Details on how the system records the images).
8.10	Image Protection.	All captured images must be protected using encryption software that meets or exceeds the current FIPS 140-2 (Level 2) standard or equivalent.

## 9 System Requirements in Relation to Vehicle Inspection Facility – Inspections

Reference	Requirement	Details
9.1	Provision of system status/health indicator.	The driver shall have an indicator showing when the system is operational and when there is a malfunction.
9.2	Mounting location of system status/health indicator to be seen.	The indicators shall be mounted/installed for the driver's vision only. The indication system must be in accordance with Section 9.3 and 9.4 below.
9.3	Additional indicator requirement.	Where a system is fitted with an indicator to show that the system is on, this indicator shall be separate to those listed above or of a different colour to avoid any possible confusion on the part of the drivers using the system.

9.4	Designed/installed to be testable of Craven District Council Licensing Team (or persons acting on behalf of the Council –such as vehicle inspectors).	The system shall be designed and installed such that the system may be easily tested by Craven District Council Licensing Team staff to ensure that all features are operating and that images are being recorded as prescribed.
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## 10 General System Requirements

Reference	Requirement	Details
10.1	Vandal and tamper resistant.	
10.2	Provision of statement of compliance.	In addition to a formal test of all aspects of this requirement specification, a statement of compliance shall be provided and signed by an officer of the company.
10.3	Reliability in operational and environmental conditions.	The system shall provide reliable and full functionality in all operational and environmental conditions encountered in the operation of taxis.
10.4	Programmability of image timing parameters.	It shall be possible to change timing and parameters without the requirement to change components.
10.5	Training and Technical Support and Equipment.	Manufacturer must provide Craven District Council Licensing Team with a training and technical manual. Supply a working unit to Craven District Council for testing purposes.
10.6	Software and Hardware.	Manufacturer to supply Craven District Council Licensing Team with a supply of cables and software to be installed under the supervision of the Council's authorised staff.
10.7	Agreement between the Camera Manufacturer and Craven District Council	Agreement to allow Craven District Council to access the relevant software from the manufacturer so that in the event the manufacturer goes out of business, the Council will be able to support the system.